

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

COMMERCE AND INDUSTRY
INSURANCE COMPANY,

Plaintiff,

vs.

U.S. BANK NATIONAL ASSOCIATION,
AS INDENTURE TRUSTEE FOR THE
REGISTERED HOLDERS OF FMAC
LOAN RECEIVABLES TRUSTS 1997-B,
1998-B, 1998-C, 1998-D AND 2000-A,

Defendant.

Case No. 07-CV-5731 (JGK)

NOTICE OF MOTION TO ADMIT ROGER E. WARIN PRO HAC VICE

PLEASE TAKE NOTICE that, upon the annexed Declaration of Lara E. Romansic in support of this motion and the Certificate of Good Standing annexed thereto, plaintiff Commerce and Industry Insurance Company will move this Court, before the Honorable John G. Koeltl, at the United States Courthouse for the Southern District of New York, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, for an Order allowing the admission of Roger E. Warin, a member of the firm of STEPTOE & JOHNSON LLP, as attorney *pro hac vice* for plaintiff Commerce and Industry Insurance Company in the above-captioned case.

Dated: New York, New York
August 21, 2007

STEPTOE & JOHNSON LLP

By: Lara E. Romansic
Lara E. Romansic (LR-9236)
750 Seventh Avenue, 19th Floor
New York, New York 10019
(212) 506-3900

*Attorneys for Plaintiff
Commerce and Industry Insurance Company*

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Defendant.

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**DECLARATION OF LARA E. ROMANSIC IN SUPPORT OF
MOTION TO ADMIT COUNSEL PRO HAC VICE**

LARA E. ROMANSIC states as follows:

1. I am a member of the Bar of this Court and associated with the firm of Steptoe & Johnson LLP, counsel for plaintiff Commerce and Industry Insurance Company in the above-captioned case. I make this declaration in support of the motion of plaintiff Commerce and Industry Insurance Company for the admission of Roger E. Warin, Esq. to practice *pro hac vice* as counsel for plaintiff Commerce and Industry Insurance Company in the above-captioned case.

2. Mr. Warin is a member of the firm of Steptoe & Johnson LLP, resident in our Washington, D.C. office. Mr. Warin is a member in good standing of the Bar of the District of Columbia. (A certified copy of Mr. Warin's Certificate of Good Standing in

the District of Columbia is annexed hereto as Exhibit A.) Mr. Warin has advised me that he is familiar with the Federal Rules of Civil Procedure and with the Local Rules of this Court.

3. In addition, I have worked with Mr. Warin, and I can personally attest that he is competent and of good character.

4. There are no pending disciplinary proceedings against Mr. Warin in any State or Federal Court.

5. Wherefore, I respectfully request that Roger E. Warin, Esq., be admitted to practice *pro hac vice* as counsel for plaintiff Commerce and Industry Insurance Company in the above-captioned case.

6. Pursuant to 28 U.S.C.A. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
August 21, 2007



Lara E. Romansic



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia
Court of Appeals, do hereby certify that

ROGER E. WARIN

was on the 29th day of March, 1971
duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on August
15, 2007.

GARLAND PINKSTON, JR., CLERK

By: *Rebby Carl*
Deputy Clerk

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ORDER

IT IS HEREBY ORDERED THAT the motion for admission *pro hac vice* in the above-captioned matter is granted. The admitted attorney, Roger E. Warin, Esq., is permitted to argue or try this particular case in whole or in part as counsel or advocate for plaintiff Commerce and Industry Insurance Company.

An attorney admitted to practice *pro hac vice* is required to pay a \$25.00 per attorney admission fee and present this Order to the intake deputy clerk in the Clerk's Office. When paying by mail, return a copy of this Order to the Clerk's Office with the required fee.

This Order confirms your appearances as counsel in this case, and it will be entered on the Court's docket. A notation of your admission *pro hac vice* for the above-listed case will be made on the roll of attorneys.

The attorney admitted *pro hac vice* must serve a copy of this Order on all other counsel in this case.

Dated: New York, New York
August __, 2007

S O O R D E R E D:

U.S.D.J

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

COMMERCE AND INDUSTRY INSURANCE
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AFFIDAVIT OF SERVICE

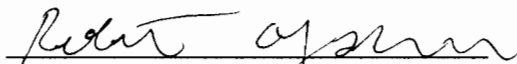
State of New York)
) ss.:
County of New York)

Robert Ajiashvili, being duly sworn, deposes and says:

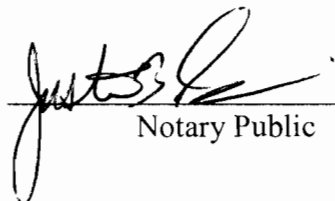
1. I am over the age of eighteen (18) years and am not a party to this action. I reside in New York, New York.

2. On August 22, 2007, I served a true and correct copy of (i) Notice of Motion, dated August 21, 2007; (ii) Declaration of Lara E. Romansic in Support to Admit Roger E. Warin Pro Hac Vice, dated August 21, 2007; and (iii) Proposed Order upon the parties listed below by First-Class United States Mail:

Russel J. Rogers, Esq.
McKenna Long and Aldridge, LLP
303 Peachtree Street
Suite 5300
Atlanta, GA 30308


Robert Ajiashvili

Sworn to before me on the
22nd day of August, 2007


Notary Public

JUSTIN B. PERRI
NOTARY PUBLIC-STATE OF NEW YORK
No. 02PE6134281
Qualified in New York County
My Commission Expires September 26, 2009

State of New York
County of New York
Sworn to before me this
22nd day of August, 2007